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Attorneys for Plaintiff

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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION
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15 MIYOKO'S KITCHEN, INC.,
16 Plaintiff,
17 v.
18 KAREN ROSS, in her official capacity as
19 Secretary of the California Department of Food
20 and Agriculture, and STEPHEN BEAM, in his
21 official capacity as Branch Chief of the Milk
and Dairy Food Safety Branch,
22 Defendants.

3:20-cv-00893-RS

**STIPULATED REQUEST ADDRESSING
PRETRIAL AND TRIAL SCHEDULING,
ORDER AS MODIFIED BY THE COURT**

Date: July 2, 2021
Courtroom: 3
Judge: Hon. Richard Seeborg

Action Filed: February 6, 2020
Trial Date: August 23, 2021

1 **STIPULATED REQUEST ADDRESSING PRETRIAL AND TRIAL SCHEDULING**

2 WHEREAS, the Court continued the upcoming Case Management conference from July 1,
3 2021, to August 12, 2021 (ECF No. 68),

4 WHEREAS, the Court has already scheduled the Final Pretrial Conference for August 4,
5 2021, but neither the Initial Case Management Scheduling Order nor any other order contains
6 instructions for filings in advance of the Final Pretrial Conference (*See* ECF No. 51),

7 WHEREAS, this case is set for trial on August 23, 2021 (ECF No. 51),

8 WHEREAS, the parties have completed briefing on cross-motions for summary judgment
9 (ECF Nos. 52, 60), and the Court vacated oral argument, causing the cross-motions to be
10 submitted on the papers (ECF No. 65), therefore

11 THE PARTIES JOINTLY SUBMIT THAT the current schedule is not practicable and
12 should be modified, and JOINTLY REQUEST THAT THE COURT adjust the schedule to either:

- 13 A. If the Court does not expect trial to commence on August 23, 2021, the Parties
14 request that the Court vacate the Final Pretrial Conference and trial date, with
15 both dates to be re-set at the next Case Management Conference. Case
16 Management Conference previously set for August 12, 2021 is continued to
17 **August 19, 2021 at 10:00 am.** Joint Case Management Statement due
18 August 12, 2021.

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20 Dated: July 2, 2021

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22 GUPTA WESSLER PLLC

23 /s/Neil K. Sawhney
24 NEIL K. SAWHNEY
25 Attorneys for Plaintiff

26 SF2020200476

Respectfully Submitted,

21 ROB BONTA
22 Attorney General of California
23 MYUNG J. PARK
24 Supervising Deputy Attorney General

25 /s/ Michael S. Dorsi
26 MICHAEL S. DORSI
27 Deputy Attorney General
28 Attorneys for Defendants

27 As the attorney electronically filing this document, Michael S. Dorsi attests that Neil K.
28 Sawhney concurred in the filing of this document. /s/ Michael S. Dorsi

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The Court vacates the Final Pretrial Conference, previously set for August 4, 2021, and the trial date, previously set for August 23, 2021. These dates will be reset, if necessary, at the next Case Management Conference. Case Management Conference previously set for August 12, 2021 is continued to **August 19, 2021 at 10:00 am**. Joint Case Management Statement due August 12, 2021.

Dated: July 2, 2021

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